REMARKS/ARGUMENTS

Claims 1-2, 11-20, and 22 stand rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent Application Publication No. 2003/0179237 by Nelson et al. ("Nelson"). In addition, Claims 3-4 and 8-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of "The Digital Magazine of InfoVis.net: Focus + Content" by Juan C. Dursteler ("Dursteler"). Furthermore, Claims 5-7, 21, and 23-33 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson in view of Dursteler and further in view of "Presentation for CGDI Workshop - May 2002" by Idelix Software Inc. ("CGDI").

With respect to Dursteler and CGDI, the Applicant respectfully submits that these references may not be cited under 35 U.S.C. 103(a) as they include subject matter that along with the present application was, at the time that the invention of the present application was made, owned by Idelix Software Inc. The Examiner's rejection of Claims 3-10, 21, and 23-33 is thereby overcome.

Claims 1-4, 8-10, 17-19, 25-26, and 28-30 have been amended with a view to better defining the invention. No new matter has been entered by these amendments. Consequently, the Examiner is respectfully requested to consider the amended claims in view of the following comments.

For reference, original Claim 1 recites the following:

> 1. (Original) A method for positioning a selected object in a computer generated original image on a display, comprising the steps of:
>
> distorting said original image to produce a distorted region for said object;
>
> dragging said object and said distorted region to a desired position; and,
>
> dropping said object at said desired position, whereby said object is accurately positioned.

On pages 2-3 of the Office Action the Examiner cites Nelson against original Claim 1 stating:

> "As to independent claim 1, Nelson et al. teach a method for positioning ('Users may explicitly manipulate the objects and manipulations persist within the virtual environment…' para. [0006]) a selected object in a computer generated original image on a display (e.g. '…select one object…' para. [0077]), comprising the steps of: distorting said original image to produce a distorted region for said object ('fisheye' para. [0051]); dragging said object and said distorted region to a desired position ('draggable' para [0118]); and, dropping said object at said desired position ('paste' para. [0051]), whereby said object is accurately positioned ('can be dropped and avoids overlap by automatically moving' para. [0005])."

For reference, paragraphs 0005, 0051 (plus 0050 for context), and 0118 of Nelson, cited by the Examiner above, recite the following:

> "[0005] Some GUI techniques take advantage of the empty space on a screen to position windows so that they do not overlap. For example, Dynamic Space Management includes a window manager which finds the closest empty space to the original destination at which the dragged window can be dropped and avoids overlap by automatically moving the dragged window to this empty space. In a variation of this approach, the dragged window remains at its selected destination, but windows that overlap are automatically moved to the nearest available empty spaces."

> "[0050] According to an embodiment of the invention, image transformations are used in conjunction with interaction capabilities, such as clipping, digital material processing **701**, direct manipulation management **702**, and external interaction management **703**, as will be described in detail below to perform various features and capabilities of the present invention. These image transformations may be applied based on dynamic user input or other dynamic processes, such as simultaneous programs or other autonomous agents."

"[0051] Examples of image transformations include, but are not limited to, automatic border removal, bulge, contrast, curl page, cut, cut and paste, edge detection, edge enhancement, fish eye, holes, increased/decreased colors, invert, mesa, mosaic, radial, rectangular, reflowing, rotate by degree, segmentation, shading, shadowing, sharpen, stretching and shrinking, tile, transition effects, transparency, vortex, warping, wave, and zoom."

"[0118] Direct manipulation of display objects using selectable control widgets such as Java AWT Button Components or other clickable or draggable Components may also be implemented in various embodiments by defining the Component class that represents the manipulation handle (e.g., by sub-classing buttons or other selection components or by creating a new Component from scratch). This manipulation Component is associated with the display objects that are capable of containing other components in a related collection (e.g., Java AWT Container objects that include subordinate components through the `add` method)."

First, with respect to the step of "distorting said original image to produce a distorted region for said object" in original Claim 1, paragraph 0051 of Nelson simply lists various transformations including "fish eye" without teaching that these transformations are applied to produce a distorted region for an object (i.e., within an original image).

Second, with respect to the step of "dragging said object and said distorted region to a desired position" in original Claim 1, paragraph 0118 of Nelson simply states that "draggable Components" (e.g., "Java AWT Button Components") may be used. It does not teach that an object and a distorted region for that object may be dragged from one position to another.

Third, with respect to the step of "dropping said object at said desired position" in original Claim 1, paragraph 0051 of Nelson simply states that an example transformation is a "cut and paste". It is well known that a cut and paste operation is not the same as a drag and drop operation. The term "paste" usually means to insert something from the clipboard. This is not recited in original Claim 1.

Fourth, with respect to the limitation of "whereby said object is accurately positioned" in original Claim 1, paragraph 0005 of Nelson refers to an application in which a window that is to be dropped is dropped such that it lands in an empty space. This is actually contrary to (i.e., a teaching away from) the subject matter of Claim 1 in that by forcing the window to be dropped in an empty space, the accuracy of the positioning of the window is ignored.

With a view to better defining the invention, original Claim 1 has been amended to recite the following:

> 1. (Currently Amended) A method for positioning a selected object in an original image for display on a display screen, comprising:
>
> distorting said original image to produce a distorted region for said object at an initial position within said original image, said distorted region including magnification of at least a portion of said object;
>
> receiving a signal for dragging said object with said distorted region from said initial position to a desired position within said original image; and,
>
> receiving a signal for dropping said object at said desired position, whereby said distorted region with said magnification facilitates accurate positioning of said object at said desired position.

The Applicant respectfully submits that nowhere in the Nelson reference cited by the Examiner is it taught or suggested those elements of amended Claim 1 that recite: "distorting said original image to produce a distorted region for said object at an initial position within said original image, said distorted region including magnification of at least a portion of said object"; and, "receiving a signal for dragging said object with said distorted region from said initial position to a desired position within said original image".

As such, the Applicant believes that amended Claim 1 is patentable over Nelson as this reference does not teach or suggest the subject matter of amended Claim 1. In addition, the Applicant believes that Claims 2-24, being dependent on amended Claim 1 and adding patentable features thereto, are also patentable over Nelson.

For reasons similar to those given above with respect to amended Claim 1, the Applicant believes that amended Claim 25 is patentable. In addition, the Applicant believes that Claims 26-33, being dependent on amended Claim 25 and adding patentable features thereto, are also patentable.

No new matter has been entered by the above noted amendments.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

McCarthy Tétrault LLP

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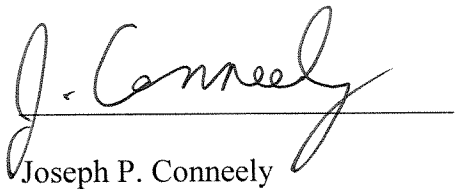
By 

Joseph P. Conneely
Registration No. 54,883
Telephone: (416) 601-8179
Fax: (416) 868-0673

McCarthy Tétrault LLP
Box 48, Suite 4700
66 Wellington Street West
Toronto Dominion Bank Tower
Toronto, Ontario, Canada
M5K 1E6